Appl. No. 09/838,678
Amdt. dated December 27, 2005
Reply to Office Action of June 28, 2005

PATENT

REMARKS/ARGUMENTS

Claims 1-12 are pending.

In the June 28 Office action, claims 1-12 were rejected under 35 U.S.C. § 102(b) for allegedly being anticipated by Klauser et al., Dynamic Hammock Predication for Non-predicated Instruction Set Architectures.

IDS Submission, Missing References

An IDS was mailed on March 21, 2005, citing 97 references. This Office action reports that Cite Nos. 40 and 51 were not found.

It is noted that an inspection of the Image File Wrapper in PAIRS shows that the single-page Cite No. 40 to Krewell was apparently combined with a three-page reference (also to Krewell) when the IDS references were scanned into PAIRS. As to Cite No. 51 to Martin et al., this 12-page reference is listed as a separate reference in the Image File Wrapper.

Attached herewith as Exhibit A is a printout of the Image File Wrapper from PAIRS. Cite Nos. 40 and 51 are identified by the highlighting on page 2 of the printout.

Submitted herewith in a Supplemental IDS are the references identified as cite nos. 40 and 51 in the March 21 IDS.

Claim Rejections

The Examiner in the June 28 Office action explained that Klauser does not teach the limitation of recompiling. The claims (independent claims 1, 5, and 9) have been amended to more clearly recite "recompiling" in the context of the present invention. For example claim 1 more clearly recites "machine code being produced by compiling source code (containing at least one conditional branch instruction)" and that the produced "machine code being executable by a target computing device different from said computing device, said machine code thereby being executable by said target computing device and by said computing device without recompiling."

As claim 1 recites, the machine code that results from compiling the source code is executable in both a target computing device and in the recited computing device.

Independent claims 5 and 9 have been similarly amended.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.
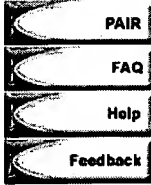
Respectfully submitted,

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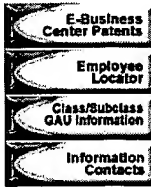
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Image File Wrapper for Application No.:09/838,678

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